

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

LUKE BROWN,)	No. ED96121
)	
Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	
)	
STATE OF MISSOURI,)	Honorable Michael David
)	
Respondent.)	FILED: November 22, 2011

Luke Brown ("Movant") appeals from the motion court's denial of his Rule 29.15 motion for post-conviction relief after an evidentiary hearing. This Court affirmed Movant's convictions, following a jury trial, for murder in the first degree, in violation of Section 565.020, RSMo 2000, and armed criminal action, in violation of Section 571.015, in Movant's direct appeal. State v. Brown, 281 S.W.3d 850, 851-52 (Mo. App. E.D. 2009).

AFFIRMED.

Division One Holds: Because Movant's self-defense theory was disbelieved by the jury, Movant does not now have a claim of ineffective assistance of counsel. Trial Counsel's actions in proceeding to defend Movant at trial under a theory of self-defense did not fall below an objective standard of reasonableness. Trial Counsel's conduct here conformed to the degree of skill, care, and diligence of a reasonably competent attorney. Williams v. State, 168 S.W.3d 433, 439 (Mo. banc 2005).

Opinion by: Roy L. Richter, J.
Clifford H. Ahrens, P.J., and Gary M. Gaertner, Jr., J., concur.

Attorney for Appellant: Brocca Smith

Attorneys for Respondent: Chris Koster, Shaun J. Mackelprang

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>
